



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation on August 6, 2001  
**NOTICE OF ACTION TAKEN -- DOCKET OST 95-379 - 17**

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This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: TRANSPORTES AEROMAR, S.A. de C.V.

Date Filed: January 21, 2000, as supplemented February 7, 2000, as amended July 19, 2001

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct, using small equipment (see below), the following operations – A) scheduled, combination services between: 1) the Mexican coterminal points Chihuahua, Guadalajara, Manzanillo, Monterrey, Puerto Vallarta, Saltillo and San Luis Potosi, Mexico, and the U.S. terminal point San Antonio, Texas; 2) the Mexican coterminal points Monterrey, Puebla and Queretaro, Mexico, and the U.S. terminal point Houston, Texas; and 3) Mexico City, Mexico, and Laredo, Texas; and B) charter operations, carrying passengers and/or cargo, between Mexico and the United States, and other charters in accordance with 14 CFR Part 212.

Date and citation of last action: See NOAT issued on January 29, 1999, in this Docket. The authority to conduct scheduled Mexico City-Laredo service is new authority.

Applicant representative(s): Herbert A. Rosenthal, 202-785-9773

Responsive pleadings: None.

**DISPOSITION**

Action: On August 6, 2001, we granted Aeromar's request in part, to conduct, using small equipment, the following operations – A) scheduled, combination services between: 1) the Mexican coterminal points Guadalajara, Manzanillo and San Luis Potosi, Mexico, and the U.S. terminal point San Antonio, Texas; and 2) Mexico City, Mexico, and Laredo, Texas; and B) charter operations, carrying passengers and/or cargo, between Mexico and the United States, and other charters in accordance with 14 CFR Part 212. This authority is effective August 6, 2001, through August 6, 2002. On August 6, 2001, we deferred action on Aeromar's request to conduct scheduled services between: 1) the Mexican coterminal points Chihuahua, Monterrey, Puerto Vallarta, and Saltillo, Mexico, and the U.S. terminal point San Antonio, Texas; and 2) the Mexican coterminal points Monterrey, Puebla and Queretaro, Mexico, and the U.S. terminal point Houston, Texas.

Remarks: The authority that we granted Aeromar is encompassed by the U.S.-Mexico Air Transport Services Agreement (Agreement), and the applicant currently is designated by the Government of Mexico to conduct the scheduled services and charter operations that we granted. We deferred action on the remainder of Aeromar's request, that is, to conduct scheduled services in the markets where the applicant is not currently designated.

Conditions: Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations of our standard exemption conditions. In the conduct of these operations, Aeromar must adhere to all applicable provisions of the U.S.-Mexico Agreement, and may only use aircraft capable of carrying no more than 60 passengers and having a maximum payload capacity of no more than 18,000 pounds (small equipment). The above grant includes authority to conduct Third and Fourth Freedom charter operations. While we have subjected, consistent with the provisions of the Agreement, Mexican carriers conducting charter operations with large aircraft to prior approval or submission of notice for their Third and Fourth Freedom charters, we determined that any such requirement was not necessary on public interest grounds in this case, since Aeromar will be conducting these operations solely with small aircraft. Other charter operations to/from the United States under this authority, however, are subject to prior approval under 14 CFR Part 212.

**Action taken by: Paul L. Gretch, Director**  
**Office of International Aviation**

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that our action granting the above-described amendment was consistent with Department policy and with the public interest. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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